

MANDATE

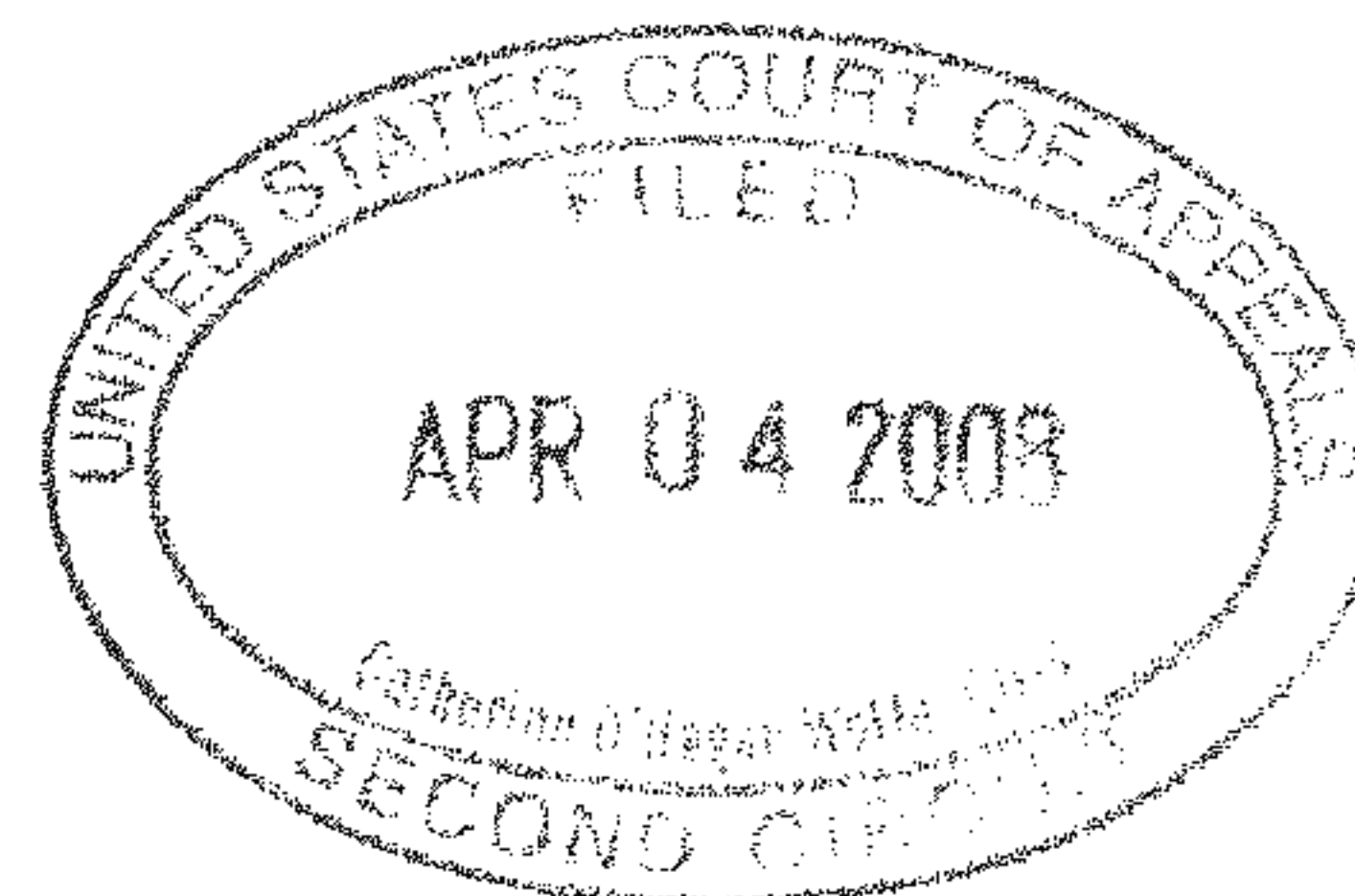
S.D.N.Y.-New York
07-cv-5841
Batts, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 4th day of April, two thousand eight,

Present:

Hon. Pierre N. Leval,
Hon. Guido Calabresi,
Hon. Richard C. Wesley,
Circuit Judges.



Kemorley Scott,

Plaintiff-Appellant,

v.

07-3172-pr

The State of New York Downstate Facility,

Defendant-Appellee.

Appellant, *pro se*, moves for leave to proceed *in forma pauperis*. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because it lacks an arguable basis in law or fact. *See Neitzke v. Williams*, 490 U.S. 319, 325 (1989); 28 U.S.C. § 1915(e).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk

By: Franki Ray

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk
by E. Thomas Martin
DEPUTY CLERK

ISSUED AS MANDATE: APR 28 2008

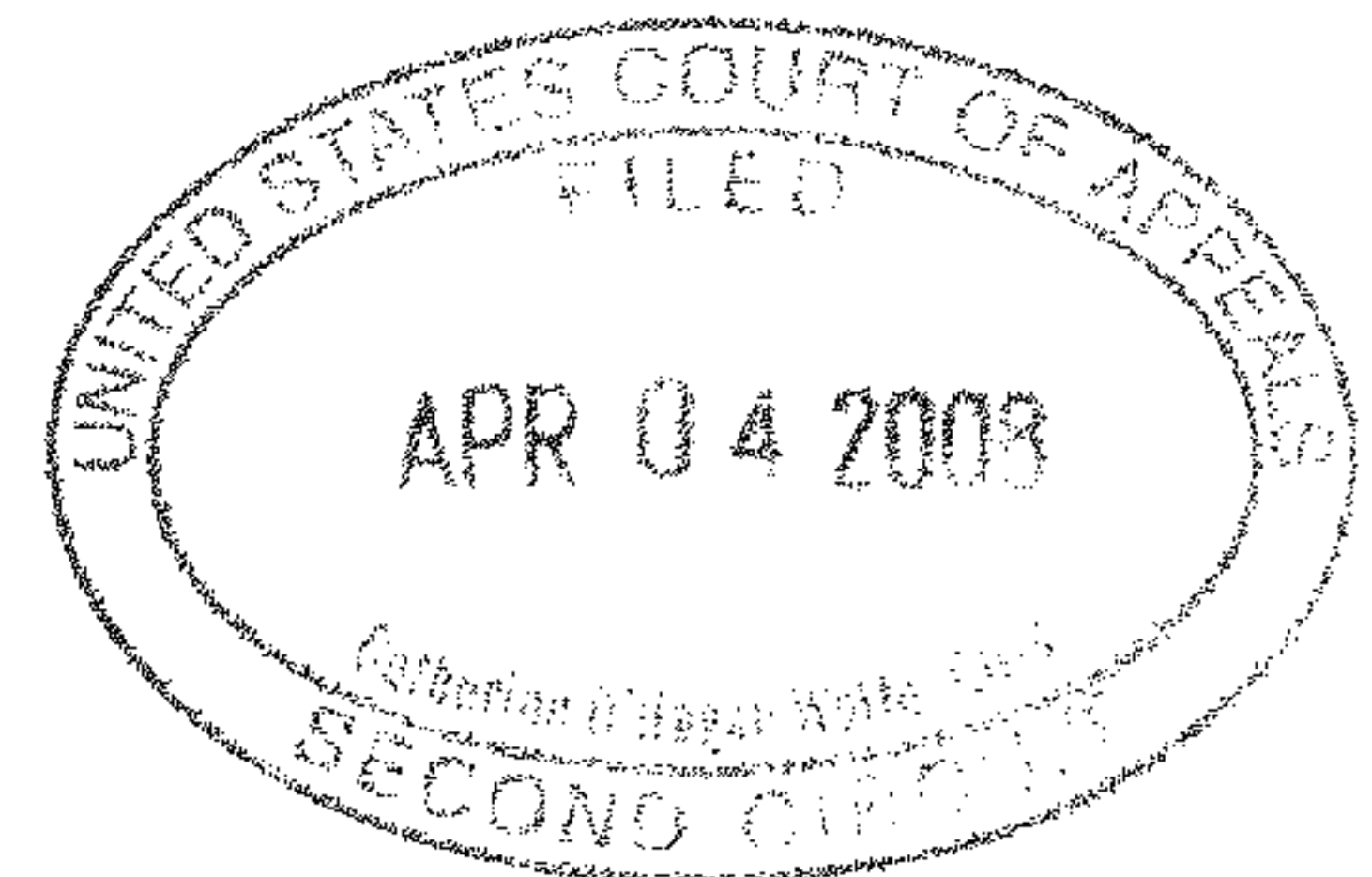
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FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

By: Franki Perry

THE MANDATE, CONSISTING OF
ITEMS BELOW, HAS BEEN RECEIVED.
() OPINION () STATEMENT OF COSTS
() ORDER

RECEIVED BY: _____ DATE: _____
RETURN TO CIVIL TEAM

SAO-LB